

1904-062 Chancery Causes: William R. Tritt vs. Rebecca Tritt
Lee Co.

W. H. Wynn, Shuler, Gates

CA-Divorce
T-Vices

To the Hon. H. A. W. Skeen, Judge of the Circuit Court for Lee County, VA.
Your orator, William R. Tritt, humbly complaining, sheweth to the court
that he is now, and has been, for more than twelve months next pre-
ceding the institution of this suit a citizen of said county and
state; that on the day of , 188 , he intermarried with
one Rebecca E. Tritt, nee Witt; that your orator and the said Rebecca
E. Tritt lived and cohabited together as man and wife until the
day of , 1898, when without your orators consent or conni-
vance, the said Rebecca E. Tritt, abandoned and deserted your orator,
took up with one Elkanah Wynn ^{of Herlan County Ky} and has ever since been living in
adultery and prostitution; ^{with said Wynn & others} that said adultery, ^{& aboulement} on the part of his
said wife was committed without your orators consent or connivance, ^{and}
^{and within the last five years} and that your said orator has not cohabited with the said Rebecca
E. Tritt since he leard ^u of said adultery.

Forasmuch, therefore, as your orator is remediless save in a court
of equity, he prays that the said Rebecca E. Tritt be made defendant
to this bill and required to answer the same, but she need not do
so upon oath, the oath being specifically waived; that proper process
issue; that ^{your} orator may be divorced from the said Rebecca E. Tritt,
a vinculo matrimonii; that all proper decrees and orders be made and
entered; and that all such other, further and general relief may be
afforded to your orator as may be just and right in the premises.
And your orator will ever pray, etc.

Orator P. q.

Wm R. Trill

vs { Bill in Chancery

Rebecca E. Trill.

1st June rules Bill filed
& Order of Publication
and continued

" 2nd June rules O.P.
Complete Cause set
for hearing

1900 to 10
R

Wm R Trith

Plaintiff

against
Rebecca E Trith Defendant

In Chancery.

This cause came on to be heard upon the bill of the plaintiff, the cause regularly matured at rules by order of publication against the defendant, and set for hearing by plaintiff, and on the depositions of witnesses, and was argued by counsel for plaintiff, and the defendant not appearing, and the court being of opinion that the allegations of the bill are sustained by the evidence, It is adjudged, ordered and decreed that the bonds of matrimony existing between the plaintiff and defendant be and they are hereby dissolved, and the plaintiff is restored to all the rights of an unmarried man, and that the plaintiff recover against the defendant his costs in this behalf expended, And the cause is stricken from the docket.

Wm R Litch
vs { Decree Final
Rebecca E Litch
Entered C.B. No 7, p 44

Enter this Decree.
H. A. W. Stuenkel
Feb 18th 1904.

The depositions of breed Shuler, and
William A Gates taken at the law office
of E. M. Pennington in the town of Pennington
Gap, Va. ^{on the 17th day of January 1904.} before the undersigned Commissioner
Chancery of the Circuit Court of Lee County Va.
to be read as evidence in behalf of the
plaintiff in a certain suit in Chancery
pending in said Court wherein Wm. R.
Litt is plaintiff and Rebecca E. Litt is
defendant, and in which Cause order of
Publication has been made and published,
as required by law.

Present James W Orr of Counsel for
Plaintiff.

The said breed Shuler a witness of
lawful age being first duly sworn
deposes and says.

Ques 1 By Plaintiff's Counsel,

Please state your age, residence and
occupation?

Ans My age is 38 years. live in Crab Orchard
Lee County Va. and am a farmer.

Ques 2 Are you acquainted with the parties
to this suit? and if so how long have
you known them?

Ans I am acquainted with them, and have known
them some 5 or 6 years.

Ques. 3. Where does the plaintiff reside if you know?

Ans On the Crab Orchard Lee County Va. and
has for some five years.

Ques 4 Where does the defendant reside?

Ans She lives on Clover fork Halan Co Ky.

Ques. 5. How long have you had knowledge of her living there?

Ans Ever since I knew her.

Ques. 6. How long has plaintiff been living in the Crab Orchard?

Ans Ever since I knew him, at least 3 or 4 years.

Ques 7 Have these parties ever lived and cohabited together as man and wife since you knew them?

Ans - - No Sir not that I know of.

Ques. 8. Have you ever heard the defendant say anything about why she left her husband, or lived separate from him?

Ans - - I heard her say that she did not like him and could get other men.

Ques. 9. Please state whether or not other men go to or frequent the place where the defendant resides?

Ans James D. Bush did. I have seen him there frequently.

Ques. 10. Did the defendant become the mother

of a child since she has been living separate from her husband? and if so when?

Ans

She did. some two or three years ago.

Ques . 11.

Did you ever hear her say anything about who was the father of the said child, and if so what did she say?

Ans

I heard her say that the said James D. Bush was the father of the said child.

Ques . 12.

Did you ever hear the said James D. Bush say as to whether the said child was his?

Ans

I never did, but I have heard him teased about it being his and he did not deny it.

Ques 13

What is the general reputation of the defendant in the neighborhood in which she lives, for virtue and chastity or otherwise?

Ans

Her reputation for virtue and chastity is bad, there is good deal said among the people about her bad conduct with men.

Ques

Witness Claims 58^{cts}

And further this deponent saith not.

Creed ^{his} x Shuler
mark

William A. Gates another witness of lawful being first duly sworn deposes as follows.

Ques 1 Please state your age, residence and occupation?

Ans Age 69 years. My residence Crab Orchard Lee County, Va. Occupation farming.

Ques 2 Are you acquainted with the parties to this suit, if so how long have you known them?

Ans I am acquainted with the parties and have been for several years. I knew the plaintiff before he was married to the defendant.

Ques 3. When were were the plaintiff and defendant married if you know?

Ans I only know of their marriage by reputation and their living together as man and wife. They so lived together some 15 or 20 years ago.

Ques 4. Where do they now reside?

Ans 5. He lives in the Crab Orchard and has been living there some 4 or 5 years.

She lives on Clover fork Harlan County Ky. and has been living there separate from him 4 or 5 years.

Ques 5 Has the defendant become the mother of an infant child since she separated

from her husband?

Ans

She has, it was born a little over two years ago. I was present and waited on the mother at the birth of the Child. I sometimes practice midwifery.

Ques 6

Have you had any knowledge of the plaintiff living and Cohabiting with the defendant during the last 4 or 5 years?

Ans

I have not and I don't think that he has been about her.

Ques 7

Have ^{you} any knowledge of other men visiting the defendant, or taking an interest in her welfare, if so who and when?

Ans

I know that James D. Bush Came after me to go and wait on the defendant when the above mentioned Child was born and I went and nothing was accomplished and after that he sent his son after me and I went and the Child was born. ~~he was~~ when I went the first time Bush Cautioned me in passing houses not to make any noise so that people would not hear us, after the Child was born there was some joking among the women present about the baby favoring James D. Bush's Children. the defendant would laugh, but say nothing.

Ques . 8. Did you ever receive a letter from the defendant containing any improper advances, or propositions or anything of the kind, if so please state what became of the letter, and file the same as part of your deposition, or if destroyed give its contents as near as you can?

Ans

I did receive a letter with her name to it, it was brought to me by a woman I read it and then put it in the fire. I can not give the contents of the letter, but she wanted me to come to see her and the impression was made on my mind that she wanted me to come for improper purposes, this was I think about a year before the said Child was born.

Ques 9 What was the conduct of the plaintiff towards his said wife and children while they lived together as man and wife?

Ans

It was kind and all right so far as I ever saw, or knew.

And further this deponent saith not.

D. V. Gates

The foregoing Depositions of Creed Shuler
and W.A. Gates were duly taken subscribed
and sworn to before me at the time and
place and for the purposes in the Caption
mentioned.

Given under my hand this the 17th day
of January 1904

A.B. Munsey Comr. in
Chancery

Wm. R. Litt
as } Depositions

Rebecca E. Litt

Taken before me as
Come in Chancery and
filed Jan'y 11th 1904
A. B. Mursey Clerk

In the Clerk's Office of the Circuit Court of the County of
Lee on the 27th day of May 1903.

against

W. R. Lritt

Plaintiff

In Chancery

Rebecca Lritt

Defendant.

The object of this suit is to obtain a decree dissolving the bonds of
matrimony heretofore contracted and now existing between the
plaintiff and defendant

And an affidavit having been made and filed that the defendant Rebecca Lritt

is not ^a resident of the State of Virginia, it is ordered that She do appear here within fifteen days
after due publication hereof, and do what may be necessary to protect her interest in this suit. And
it is further ordered that a copy hereof be published once a week for four weeks in the South-West
Virginian, and that a copy be posted at the front door of the court-house of this County
on the first day of the next term of the County Court.

A copy—Teste:

Or & Noel

p. q.

A. B. Munsey

Clerk.

Mr. R. Tritt

vs. {

ORDER OF
PUBLICATION.

Rebecca Tritt

I A. B. Munsey clerk of the
Circuit Court for Lee County,
Virginia, do hereby certify
that I posted a copy of the
within ~~Order~~ of Publication
at the front door of the
Court-house of Lee County,
on the 1st day of the June
term of said Court.

Given under my hand
this the 22nd day of June
1903.

A. B. Munsey clerk

In the Clerk's Office of the Circuit Court of the County of
Lee

against

M. R. Tritt

Plaintiff

In Chancery

Rebecca Tritt

Defendant

This day

J. L. Noel

personally appeared

before me,

A. B. Munsey

Clerk of the said Court,

and being duly sworn, made oath that

Rebecca Tritt

defendant in the said suit is not a resident of the State of Virginia,

Given under my hand as Clerk of the said Court, this

27th day of May

1903

A. B. Munsey Clerk

Mr. R. Lritt

vs. {

AFFIDAVIT FOR ORDER
OF
PUBLICATION.

Rebecca Lritt

Orr V. Noel p. q.

Filed May 27th 1903
A. B. Munsey Clerk

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU THAT YOU SUMMON

William Bates

a Commissioner in Chancery at the law office of James M. Orr in Jonesville Va
to appear before ~~the Judge of our Circuit Court of the County of Lee, at the court-house~~
~~thereof~~, on the *2nd* day of *January* 1904, to testify and the truth to say
in behalf of the *Plaintiff*, in a certain matter of controversy in our said court

before the said Judge depending and undetermined between

Wm. R. Litt

Plaintiff, and

Rebecca E. Litt

Defendant . And this

he

shall in no wise omit, under the penalty of £100. And have then there this writ.

Witness, A. B. MUNSEY, Clerk of our said court, at the court-house the *23rd* day of
December 1903, and in the 12th year of the Commonwealth.

A. B. Munsey Clerk

Mr. R. Lutt

vs.

SUBPOENA
FOR
WITNESS.

Rebecca E. Lutt

before a Commissioner
in Chancery at ~~Jonesville~~ ^{Court}

the 2nd day of January

1904

Executed by
Summoning Wm.
Gotes to appear
before a Commissioner
at Jonesville Va.
on Jan. 2nd 1904.
This Dec. 31st 1903
H. Robbins Dep't.
for W. J. Milham S. C.

**CERTIFICATE OF
ORDER OF PUBLICATION.**

I, C. R. Sprinkle, Editor of the **SOUTH
WEST VIRGINIAN**, a weekly newspaper
published at Jonesville, Lee county,
Virginia, do hereby certify that the an-
nexed notice was published in said pa-
per once a week for four successive
weeks, commencing on the 28th
day of May, 1903.

C. R. Sprinkle
EDITOR.

FEE, \$ 5.00

Paid

Order of Publication.

VIRGINIA—In the Clerk's Office of the
Circuit Court of the County of Lee, on
the 27th day of May, 1903.

W. R. Tritt Plff. }
 vs. } In Chancery.
Rebecca Tritt Deft. }

The object of this suit is to obtain a de-
cree dissolving the bonds of Matrimony
heretofore contracted and now existing
between the plaintiff and defendant. And
an affidavit having been made and filed
that the defendant Rebecca Tritt is not
a resident of the State of Virginia, it
is ordered that she do appear here
within fifteen days after due publication
hereof, and do what may be necessary
to protect her interest in this suit.
And it is further ordered that a copy
hereof be published once a week for
four weeks in the **SOUTHWEST VIRGINIAN**,
and that a copy be posted at the front
door of the court-house of this county
on the first day of the next term of
the county court.

A copy—Teste:

A. B. Munsey, Clerk.

Orr & Noel. p. q.

W. R. Lrett.

vs $\frac{1}{2}$ Pub Certificate

Rebecca E. Lrett.

Order of Publication

W. R. Tritt

^{vs.}
Rebecca Tritt.

Fee \$6⁰⁰

Paid